

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ELOUAFAI MYRACHID,	:	CIVIL NO. 1:15-CV-355
	:	
Petitioner	:	(Chief Judge Conner)
	:	
v.	:	
	:	
WARDEN MARY SABOL,	:	
DIRECTOR THOMAS DECKER,	:	
THOMAS S. WINKOWASKI,	:	
JEH JOHNSON,	:	
	:	
Respondents	:	

ORDER

AND NOW, this 23rd day of November, 2015, upon consideration of respondents' supplemental response (Doc. 12) to the petition for writ of habeas corpus, and according to the "Order of Supervision" (Doc. 12, at 5-6) attached to the supplemental response, on or about June 30, 2015, petitioner was released from the custody of Immigration and Customs Enforcement pursuant to an order of supervision, which renders the petition moot, see Khodara Envtl., Inc. ex rel. Eagle Envtl., L.P. v. Beckman, 237 F.3d 186, 192-93 (3d Cir. 2001) ("Article III of the Constitution grants the federal courts the power to adjudicate only actual, ongoing cases or controversies."); Blanciak v. Allegheny Ludlum Corp., 77 F.3d 690, 698-99 (3d Cir. 1996) ("If developments occur during the course of adjudication that eliminate a plaintiff's personal stake in the merit of a suit or prevent a court from

being able to grant the requested relief, the case must be dismissed as moot.”); Sanchez v. AG, 146 Fed. Appx’ 547, 549 (3d Cir. 2005) (holding that the habeas petition challenging the petitioner’s continued detention by Immigration and Customs Enforcement was rendered moot once the petitioner was released from immigration custody), it is hereby ORDERED that:

1. The petition for writ of habeas corpus (Doc. 1) is DISMISSED as moot.
2. The Clerk of Court is directed to CLOSE this case.
3. Any appeal will be deemed frivolous, lacking merit, and not taken in good faith.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania